## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

NATIONAL CITY BANK, )	
Plaintiff,	
v. )	Case No.: 07 C 6380
CREATIVE FINANCIAL SOLUTIONS, LTD.; DEUGENE BENNETT; CHARLES WHITE; SHELLY V. ROLLINSON; and TOMMY G. PILILIMIS,	Judge Bucklo  Magistrate Judge Cole
Defendants.	

## AFFIDAVIT OF MATTHEW T. MITCHELL IN SUPPORT OF MOTION FOR DEFAULT JUDGMENT

STATE OF ALABAMA		)	
		)	
COUNTY OF JEFFERSON		)	

Before me, the undersigned Notary Public, personally appeared Matthew T. Mitchell, who, being personally known to me and being duly sworn, stated the following:

- 1. My name is Matthew T. Mitchell. I am over the age of twenty-one (21) years, and I reside in Jefferson County, Alabama. I am a licensed and practicing attorney. I am an Associate in the law firm of Burr & Forman LLP which represents the Plaintiff National City Bank d/b/a Accubanc Mortgage Corporation ("National City") in this lawsuit. I make this affidavit in support of Plaintiff National City Bank's Motion for Default Judgment in this case.
- 2. On November 30, 2007, Plaintiff filed its First Amended Complaint ("Complaint") against Rollinson, and numerous other defendants, asserting numerous causes of action arising from the defendants' intentional and tortious scheme to defraud

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National City by providing false information to National City regarding certain mortgage loans purchased by them. In particular, Plaintiff filed suit against Rollinson asserting the following causes of action in connection with her misrepresentation of appraisal information for certain loans purchased by Plaintiff: Civil Conspiracy; Aiding and Abetting a Fraud; and Negligent Misrepresentation.

- 3. On December 21, 2007, service of the Summons and a copy of the Complaint was made on Rollinson by means of service by authorized or specially appointed process server, as evidenced by the returns of service filed of record in this case.
- 4. Pursuant to Rule 12 of the Federal Rules of Civil Procedure, Rollinson was required to answer or otherwise plead within twenty (20) days of service. Rollinson was, therefore, required by law to respond to Plaintiff's Complaint by or on January 10, 2008.
- 5. However, to date, Rollinson has failed to answer, otherwise plead or file an appearance in response to Plaintiff's Complaint.

FURTHER AFFIANT SAYETH NOT.

STATE OF ALABAMA COUNTY OF JEFFERSON

a Notary Public in and for said County in said State, hereby certify that Matthew T. Mitchell, whose name is signed to the foregoing AFFIDAVIT IN SUPPORT OF MOTION FOR DEFAULT JUDGMENT, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily on the day the same bears due.

Given under my hand and seal, this 6th day of March, 2008

My Commission Expires: 11/1/08

SEAL: